

**New Jersey Department of Environmental Protection  
and  
New Jersey Environmental Infrastructure Trust**

**NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM  
APPLICATION FOR FINANCIAL ASSISTANCE  
FOR LAND ACQUISITION PROJECTS**

**GENERAL INSTRUCTIONS**

**A) USE OF THIS APPLICATION**

This package is to be used for applying for financial assistance from the New Jersey Environmental Infrastructure Financing Program for land purchase. All dollar amounts requested in this application should be rounded to the nearest dollar. If an item cannot be answered or does not appear to be relevant, write “NA” for “not applicable.”

This package also is to be used to request additional financial assistance for a project which has previously received funding from the New Jersey Environmental Infrastructure Financing Program and whose allowable costs have increased due to cost overruns for that project. When a request is made for supplemental assistance for an approved loan, submit only those pages that are appropriate.

**B) COMPLETING THE APPLICATION**

a) The application package consists of five parts:

**Part I – GENERAL INFORMATION**

- Application for a Fund/Trust Loan (FORM LP-2)
- Authorizing Resolution (Sample copy attached) or letter

**Part II - ASSURANCES**

- Statement of Assurances (FORM LP-3)
- Assurance of Compliance with Title VI of the Civil Rights Act of 1964 (FORM LP-4)

**Part III – BUDGET INFORMATION**

- Instructions
- New Project (FORM LP-5A)
- Previously Funded Project (FORM LP-5B)
- TABLE # 1 - Allowance for Facilities Planning and Design
- Project Cost Breakdown “Per Parcel” (FORM LP-6A)
- Projected Disbursement Schedule (FORM LP-6B)

**PART IV - ADDITIONAL INFORMATION**

- Applicant Contacts (FORM LP-10)
- Pre-award Compliance Review Report (EPA Form 4700-4)

## C) SUBMISSION OF APPLICATION

- a) An original and two copies mailed to the New Jersey Department of Environmental Protection, Municipal Finance and Construction Element, P. O. Box 425, Trenton, New Jersey 08625-0405.
- b) Financial addendum (Financial Background Information) instructions for the submittal are contained within the addendum and will be provided at a later date.

## D) ASSISTANCE REGULATIONS

Applicants are expected to comply with all rules applicable to the New Jersey Environmental Infrastructure Financing Program. These rules are published in N.J.A.C. 7:22-3, 4, 5, 8, and 10. A copy of these rules is available upon request from the Municipal Finance and Construction Element.

## E) PROJECT

The term “project” as used in this application form refers to the scope of work for which this application for Department and Trust assistance is being made pursuant to N.J.A.C. 7:22-3, 4 and 5.

Should you have any questions regarding this application, please contact:

- Scott Shymon, Supervisor, Office of Program Development, Bureau of Program Development and Technical Services at (609) 292-3859

# Part I (Land)

## GENERAL INFORMATION

### ■ FORM LP-2

Application for Financial Assistance

### ■ ATTACHMENT:

Authorizing Resolution (Sample included)

New Jersey Department of Environmental Protection  
Division of Water Quality  
Municipal Finance and Construction Element  
Bureau of Administration and Management  
PO Box 425  
Trenton, New Jersey 08625-0425  
Telephone: (609) 633-1208

New Jersey Environmental Infrastructure Trust  
PO Box 440  
Trenton, New Jersey 08648-0440  
(609) 219 -8600

Department Use Only  
Copies to:  
Date:

## FORM LP-2      APPLICATION FOR FINANCIAL ASSISTANCE

PLEASE PRINT OR TYPE

Legal Name of Applicant \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Contact Person \_\_\_\_\_

Title \_\_\_\_\_

Telephone Number (       ) \_\_\_\_\_

County \_\_\_\_\_ Federal ID Number \_\_\_\_\_

### LOAN REQUEST

The above applicant requests a land acquisition loan from the New Jersey Environmental Infrastructure

Financing Program in the amount of \$ \_\_\_\_\_

## PROJECT INFORMATION

**Location of Project (include counties, municipalities, blocks and lots, etc.)**

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**Description of Project (be specific)**

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## CERTIFICATION (LAND ACQUISITION)

The undersigned representative of the applicant being duly sworn according to law, upon his oath deposes and says that the information in the application and in the attached statements and exhibits is true, correct, and complete to the best of the applicant's knowledge, information and belief. The undersigned representative of the applicant further deposes and says that:

1. As evidenced by the **ATTACHED CERTIFIED COPY OF RESOLUTION ADOPTED BY THE LOCAL GOVERNMENT UNIT**, the undersigned representative has been authorized to file this application (must be employed by/elected official of the local government);
2. The applicant has agreed that if a Fund and a Trust loan for the project is made pursuant to N.J.A.C. 7:22-3, 4 and 5 (rules of the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust), the applicant will pay all costs of the approved project not covered by the Fund and Trust loans; and
3. The applicant agrees that all statements, data and supporting documents made or submitted by the applicant in connection with any applications for State or Federal assistance for the project are to be deemed a part of this application as if they were herein repeated and set forth in full.

4. The applicant agrees to abide by the loan conditions pursuant to N.J.A.C. 7:22-3.17 and N.J.A.C. 7:22-417.

Date \_\_\_\_\_

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Name of Authorized Representative (typed)

\_\_\_\_\_  
Title of Authorized Representative (typed)

Sworn to and subscribed before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Signature

MUNICIPAL SEAL or NOTARY PUBLIC SEAL

RESOLUTION AUTHORIZING APPLICATION  
FOR A LOAN FROM THE NEW JERSEY ENVIRONMENTAL  
INFRASTRUCTURE FINANCING PROGRAM

**(Sample)**

**Resolution Number** \_\_\_\_\_

**Applicant** \_\_\_\_\_

**Loan Number** \_\_\_\_\_

WHEREAS, the (Name of Applicant) \_\_\_\_\_ intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the (description of project):

\_\_\_\_\_  
\_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED, that (name of individual and title) \_\_\_\_\_ be authorized to act as the Authorized Representative to represent the (Name of Applicant) \_\_\_\_\_ in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at (full address and telephone number): \_\_\_\_\_

\_\_\_\_\_

I do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by (Name of Applicant) \_\_\_\_\_ at a meeting duly held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_

Certified By: \_\_\_\_\_

## Part II (Land)

### ASSURANCES

- FORM LP-3  
Statement of Assurances
  
- FORM LP-4  
Assurance of Compliance with the  
Regulations under Title VI of the  
Civil Rights Act of 1964



## FORM LP-3 STATEMENT OF ASSURANCES

As authorized representative of (Name of Applicant) \_\_\_\_\_

I, (Name) \_\_\_\_\_, certify that (Name of Applicant) \_\_\_\_\_

agrees to comply with the laws, rules, policies, requirements and conditions relating to the New Jersey Environmental Infrastructure Financing Program for this project as applicable.

### ADMINISTRATIVE REQUIREMENTS

1. Has the legal, institutional, managerial, technical and financial capability to ensure adequate maintenance of the land to be acquired, and has analyzed the local share of the costs of the proposed land acquisition.
2. Will give the New Jersey Department of Environmental Protection (DEP) and the New Jersey Environmental Infrastructure Trust (Trust) through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the loan, and will establish an accounting system in accordance with generally accepted accounting principles and auditing standards.
3. Will not dispose of, modify the use of, or change the terms of real property title, or other interest in the site without permission and instructions from DEP.
4. For local government units, will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or gives the appearance of constituting a personal or organizational conflict of interest, and shall otherwise comply with the DEP's minimum standards of conduct found in N.J.A.C. 7:22-8.1 et seq.
5. Has not or shall not enter into any contract and has not or shall not award any subcontract to any person(s) included on EPA's or the New Jersey State Treasurer's List of Debarred, Suspended or Disqualified Bidders as a result of action by any Federal or State agency for the acquisition of land.
6. Has not violated any Federal, State or local law pertaining to fraud, bribery, graft or collusion.
7. Will obtain written Authorization to Purchase from the DEP's Municipal Finance and Construction Element prior to purchasing the land, and will maintain the project in accordance with the application, plan/project report and other documents or amendments thereto approved by the DEP.
8. Will acquire the land within 12 months of the loan closing.

9. Will have available sufficient funds to pay that portion of the project costs not covered by the financial assistance being applied for with this application, and shall use these funds to make such payments
10. Will comply with the loan conditions and take the necessary actions to ensure that the applicable *Deed of Conservation Restrictions for Properties Purchased Through the Environmental Infrastructure Financing Program* will be adhered to and will apply in perpetuity.
11. Will Submit a site survey (approved by Green Acres and including the “cut-outs”, if applicable), a copy of the deed and an executed *Deed of Conservation Restrictions for Properties Purchased Through the Environmental Infrastructure Financing Program* to the Municipal Finance and Construction Element prior to the disbursements of any funds associated with the project.

## STATUTORY REQUIREMENTS

12. Will comply with the provision of Executive Order 11988 relating to evaluation of potential effects of any actions in a floodplain, and Executive Order 11190 relating to minimizing harm to wetlands.
13. Will comply, or have already complied with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of assisted programs.
14. Will comply with the provisions of the Hatch Act, which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
15. Will assist the DEP to comply with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), Executive Order 11593, the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.), the Act Establishing the New Jersey Register of Historic Places and Executive Order No. 215 Environmental Assessment.
16. Will comply with Section 13 of the Federal Water Pollution Control Act of 1972, which provides that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program under the Act.
17. Will comply with Title VI of the Civil Rights Act of 1964, with the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et. seq. and with the Anti-Discrimination and Affirmative Action Provisions of N.J.S.A. 10:2-1 to 10:2-4.
18. Will comply with all applicable requirements of Federal, State and local laws, ordinances, executive orders, policies, rules and regulations governing this program, including N.J.A.C. 7:22-3, 4, 5 and 10.

## CERTIFICATION

I certify that I am a duly authorized representative of the within named applicant, and that I have read and understand these requirements and assurances. I further certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

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Date

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Signature of Authorized Representative

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Name of Authorized Representative (typed)

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Title of Authorized Representative (typed)

Project No. \_\_\_\_\_

New Jersey Department of Environmental Protection

**FORM LP-4      ASSURANCE OF COMPLIANCE WITH THE  
REGULATIONS UNDER TITLE VI OF THE CIVIL RIGHTS  
ACT OF 1964**

Name of Applicant \_\_\_\_\_  
(Hereinafter called "Applicant")

HEREBY AGREES THAT it shall comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed pursuant to that title, as well as the New Jersey "Law Against Discrimination" as set forth in Title 10, Chapter 5 of the New Jersey Statutes Annotated, to the end that, in accordance with Title VI of the Act and the Regulations no person in the United States shall, on the ground of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation or sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant receives financial assistance from the State of New Jersey; nor shall any person, on the ground of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation or sex, be denied the benefits of, or be otherwise subjected to discrimination under any program for which the Applicant receives financial assistance from the State of New Jersey; and HEREBY GIVES ASSURANCE THAT it shall immediately take any measures necessary to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of State financial assistance extended to the Applicant by the State of New Jersey, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose involving the provision of similar services or benefits. If any personal property is so provided, this assurance shall obligate the Applicant for the period during which the State financial assistance is extended.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all State grants, loans, contracts, property, discounts, or other State financial assistance extended after the date hereof to the Applicant by the State of New Jersey; including installment payments after which date on account of applications for State financial assistance which were approved before such date. The Applicant recognizes and agrees that such State financial assistance shall be extended in reliance on the representative and agreements made in this assurance, and that the State of New Jersey shall have the right to seek judicial enforcement of this assurance.

The assurance is binding on the Applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear below are authorized to sign this assurance behalf of the Applicant.

\_\_\_\_\_  
**Signature of Authorized Representative**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Name of Authorized Representative (typed)**

\_\_\_\_\_  
**Title of Authorized Representative (typed)**

**Sworn to and subscribed before me this**  
**\_\_\_ day of \_\_\_\_\_, 20\_\_\_**

\_\_\_\_\_  
**Signature**

**NOTARY PUBLIC SEAL**

## PART III (Land)

### BUDGET INFORMATION

- PART III INSTRUCTIONS
- FORM LP-5A  
New Project
- FORM LP-5B  
Previously Funded Project
- FORM LP-6A  
Project Cost Breakdown  
"Per Parcel"
- FORM LP-6B  
Projected Disbursement  
Schedule

## PART III INSTRUCTIONS

Part III consists of FORMS LP-5A, 5B, 6A and 6B. FORMS LP-6A and 6B are self-explanatory.

In all forms you are required to consider costs which are not allowable under the New Jersey Environmental Infrastructure Financing Program or are to be financed by another source. Additional information can be found in N.J.A.C. 7:22-5.1 through 5.12.

The applicant is encouraged to seek State assistance in determining what types of costs are not allowable under the program.

### BUDGET INFORMATION (FORM LP-5A/5B)

FORM LP-5A is to be used to calculate project costs for new projects. FORM LP-5B is used to calculate the increase in project costs for previously funded projects (supplemental loans).

#### ITEM 1 – LAND COSTS

Estimated costs for purchase of land.

#### ITEM 2 - ADMINISTRATIVE EXPENSES

Estimated amounts needed to cover administrative and legal expenses. Allowable administrative expenses do not include costs related to the normal functions of the applicant. Allowable legal costs include certain services in support of the acquisition of land (i.e., review of purchase contracts), and costs pertaining to the loan closing. Total allowable administrative expenses are limited to three percent (3%) of the allowable land costs (Line Item 4).

#### ITEM 3 - ALLOWANCE FOR PLANNING AND DESIGN

Calculate the amount for the planning and design allowance in accordance with the attached: [Table 1 - Allowance for Facilities Planning and Design](#). This is the maximum amount allowed under this category; however, the applicant may choose a lesser amount, if appropriate.

#### ITEM 4 - TOTAL PROJECT COSTS

# LP-5A BUDGET INFORMATION - NEW PROJECT

Name of Applicant \_\_\_\_\_ Project Number \_\_\_\_\_

COST CLASSIFICATION	a. Total Project Costs	b. Project Costs Not Allowable for Fund and Trust Financing	c. Allowable Costs Subtract Column b from Column a and enter below $c=a-b$
1. Land Costs			
2. Administrative Expenses (3% of Line No.1)			
3. Allowance for Planning and Design (see attached table)			
4. TOTAL PROJECT COSTS			

Name of Applicant \_\_\_\_\_ Project Number \_\_\_\_\_

COST CLASSIFICATION	a. Costs per Last Loan Award		b. Adjustments (+) or (-)		c. Revised Cost	
	(1) Total	(2) Allowable	(1) Total	(2) Allowable	(1) Total	(2) Allowable
1. Land Costs						
2. Administrative Expenses (3% of Line No. 1)						
3. Allowance for Planning and Design (see attached table)						
4. TOTAL PROJECT COSTS						



TABLE 1

## ALLOWANCE FOR FACILITIES PLANNING AND DESIGN

<b><u>Building Cost</u></b>	<b><u>Allowance</u></b>
\$1,000,000 or less	25 percent of the allowable building cost; up to a maximum of \$250,000.
\$1,000,000 to \$10,000,000	\$250,000 plus 12 percent of the allowable building cost over \$1,000,000; up to a maximum of \$1,330,000.
\$10,000,000 to \$100,000,000	\$1,330,000 plus six percent of the allowable building cost over \$10,000,000; up to a maximum of \$6,730,000.
Over \$100,000,000	\$6,730,000 plus five percent of the allowable building cost over \$100,000,000

**New Jersey Environmental Infrastructure Financing Program**

**LP-6A PROJECT COST BREAKDOWN "PER PARCEL"**

Applicant \_\_\_\_\_

Project Number \_\_\_\_\_

<b>PARCEL BLOCK/LOT(s)</b>	<b>TOTAL LAND COST</b>	<b>EIFP FUNDED COST</b>
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
<b>TOTAL</b>	<b>\$</b>	<b>\$</b>

New Jersey Environmental Infrastructure Financing Program

LP-6B

PROJECTED DISBURSEMENT SCHEDULE

**Applicant** \_\_\_\_\_

**Project Number** \_\_\_\_\_

YEAR	MONTH	DISBURSEMENT AMOUNT

Note: This information will be used to determine the Trust Bond dollar amount and the Trust and Fund disbursement schedules.

- Specify block/lot for each parcel next to the month in which closing is projected to occur
- First payment cannot be scheduled prior to November.
- No disbursement will be made until the costs have been incurred.
- Administrative costs, pre-award costs and 50% of the allowance for planning and design may be requested in November. **Disbursements for land costs should be requested in the month that closing is projected to occur.** Final payment of the allowance for planning and design occurs after the applicant has closed all parcels included in this year's funding cycle

## PART IV (Land)

### ADDITIONAL INFORMATION

- FORM LP-10

Applicant Contacts

- EPA Form 4700-4

Preaward Compliance Review  
Report for All Applicants  
Requesting Federal Financial  
Assistance

Applicant \_\_\_\_\_ Project No. \_\_\_\_\_

LP-10

APPLICANT CONTACTS

PRIMARY CONTACT PERSON

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

E-mail: \_\_\_\_\_

BOND COUNSEL

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

E-mail: \_\_\_\_\_

GENERAL COUNSEL

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

E-mail: \_\_\_\_\_

ENGINEER

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

E-mail: \_\_\_\_\_

FINANCIAL ADVISOR

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

E-mail: \_\_\_\_\_

ACCOUNTANT / AUDITOR

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

E-mail: \_\_\_\_\_



Washington, DC 20460  
**Preaward Compliance Review Report for  
All Applicants Requesting Federal Financial Assistance**

FORM Approved  
OMB No. 2030-0020  
Expires 12-31-05

**Note: Read instructions before completing form.**

I. A. Applicant (Name, City, State)		B. Recipient (Name, City, State)	C. EPA Project No.
II. Brief description of proposed project, program or activity.			
III. Are any civil rights lawsuits or complaints pending against applicant and/or recipient? If yes, list those complaints and the disposition of each complaint.			<input type="checkbox"/> Yes <input type="checkbox"/> No
IV. Have any civil rights compliance reviews of the applicant and/or recipient been conducted by any Federal agency during the two years prior to this application for activities which would receive EPA assistance? If yes, list those compliance reviews and status of each review.			<input type="checkbox"/> Yes <input type="checkbox"/> No
V. Is any other Federal financial assistance being applied for or is any other Federal financial assistance being applied to any portion of this project program or activity? If yes, list the other Federal Agency(s), describe the associated work and the dollar amount of assistance.			<input type="checkbox"/> Yes <input type="checkbox"/> No
VI. If entire community under the applicant's jurisdiction is not served under the existing facilities/services, or will not be served under the proposed plan, give reasons why.			
VII. Population Characteristics			Number of People
1. A. Population of Entire Service Area			
B. Minority Population of Entire Service Area			
2. A. Population Currently Being Served			
B. Minority Population Currently Being Served			
3. A. Population to be Served by Project, Program or Activity			
B. Minority Population to be Served by Project, Program or Activity			
4. A. Population to Remain Without Service			
B. Minority Population to Remain With Service			
VIII. Will all new facilities or alterations to existing facilities financed by these funds be designed and constructed to be readily accessible to and usable by handicapped persons? If no, explain how a regulatory exception (40 CFR 7.70) applies.			<input type="checkbox"/> Yes <input type="checkbox"/> No
IX. Give the schedule for future projects, programs or activities (or of future plans), by which services will be provided to all beneficiaries within applicant's jurisdiction. If there is no schedule, explain why.			
X. I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.			
A. Signature of Authorized Official		B. Title of Authorized Official	C. Date
<b>For the U.S. Environmental Protection Agency</b>			
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved		Authorized EPA Official	Date

## Instructions for EPA FORM 4700-4 (Rev. 1/90)

### General

Recipients of Federal financial assistance from the U.S. Environmental Protection Agency must comply with the following statutes.

Title VI of the Civil Rights Acts of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

The Act goes on to explain that the title shall not be construed to authorize action with respect to any employment practice of any employer, employment agency, or labor organization (except where the primary objective of the Federal financial assistance is to provide employment).

Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act provides that no person in the United States shall on the ground of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Federal Water Pollution Control Act, as amended. Employment discrimination on the basis of sex is prohibited in all such programs or activities.

Section 504 of The Rehabilitation Act of 1973 provides that no otherwise qualified handicapped individual shall solely by reason of handicap be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Employment discrimination on the basis of handicap is prohibited in all such programs or activities.

The Age Discrimination Act of 1975 provides that no person on the basis of age shall be excluded from participation under any program or activity receiving Federal financial assistance. Employment discrimination is not covered. Age discrimination in employment is prohibited by the Age Discrimination in Employment Act administered by the Equal Employment Opportunity Commission.

Title IX of the Education Amendments of 1972 provides that no person on the basis of sex shall be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Employment discrimination on the basis of sex is prohibited in all such education programs or activities. Note: an education program or activity is not limited to only those conducted by a formal institution.

The information on this form is required to enable the U.S. Environmental Protection Agency to determine whether applicants and prospective recipients are developing projects, programs and activities on a nondiscriminatory basis as required by the above statutes.

Submit this form with the original and required copies of applications, requests for extensions, requests for increase of funds, etc. Updates of information are all that are required after the initial application submission.

If any item is not relevant to the project for which assistance is requested, write "NA" for "Not Applicable."

In the event applicant is uncertain about how to answer certain questions, EPA program officials should be contacted for clarification.

### ITEMS

- IA. "Applicant" means any entity that files an application or unsolicited proposal or otherwise requests EPA assistance.
- IB. "Recipient" means any entity, other than applicant, which will actually receive EPA assistance.
- IC. Self-explanatory.
- II. Self-explanatory.
- III. "Civil rights lawsuits" means any lawsuit or complaint alleging discrimination on the basis of race, color, national origin, sex, age, or handicap pending against the applicant and/or entity, which actually benefits from the grant. For example, if a city is the named applicant but the grant will actually benefit the Department of Sewage, civil rights lawsuits involving both the city and the Department of Sewage should be listed.
- IV. "Civil rights compliance review" means any review assessing the applicant and/or recipient's compliance with laws prohibiting discrimination on the basis of race, color, national origin, sex, age, or handicap. If any part of the review covered the entity, which will actually benefit from the grant, it should be listed.
- V. Self-explanatory.
- VI. The word "community" refers to the area under the applicant and/or recipient's jurisdiction. The "community" might be a university or laboratory campus, or a community within a large city. If there is significant disparity between minority and nonminority populations to receive service, not otherwise satisfactorily explained, the Regional office may require a map, which indicates the minority and nonminority population served by this project, program or activity.
- VII. This information is required so that reviewers may determine if a disparity in the proposed provision of services will exist in the event the application is approved for funding. Give population of recipient's jurisdiction, broken out by categories as specified.  
  
In the event the applicant cannot provide the requested information because the funds will be distributed over a wide demographic area, which is yet to be determined, an explanation may be provided on a separate sheet. For example, a State applying for a capitalization grant under the State Revolving Fund program may not know which cities and counties will apply for, and receive, SRF loans.
- VIII. Self-explanatory.
- IX. "Jurisdiction" means the geographical area over which applicant has the authority to provide service.
- X. Self-explanatory.

### "Burden Disclosure Statement"

EPA estimates public reporting burden for the preparation of this form to average 30 minutes per response. This estimate includes the time for reviewing instructions, gathering and maintaining the data needed and completing and reviewing the form. Send comments regarding the burden estimate, including suggestions for reducing this burden, to Chief, Information Policy Branch, PM-223, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.